

United States District Court Southern District of New York

DUNKIN; DONUTS FRANCHISED RESTAURANTS, LLC  
DUNKIN' DONUTS FRANCHISING LLC and BR IP  
HOLDER LLC,

Plaintiffs,

V.

Case No. 08 CV 00209

HUDSON VALLEY DONUTS, INC., et al  
Defendants,

State of New York  
County of Saratoga:

The undersigned, being duly sworn, deposes and says that she is over the age of twenty-one years, that on January 14<sup>th</sup> 2008 2:00 PM at the office of the Secretary of State, of the State of New York in the City of Albany, New York 12207, she served the; Summons, complaint, Individual practices of Judge Charles L. Brieant, USDC/SDNY 3<sup>rd</sup> amended instructions for filing an electronic case, USDC/SDNY procedures for electronic case filing and USDC/SDNY guidelines for electronic case filing,

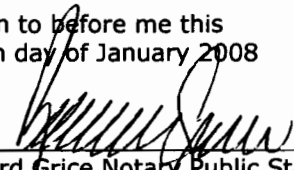
**On:** Hudson Valley Donuts, Inc.

Defendant in this action, by delivering to and leaving with *Carol Vogt DEMO* in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State at 41 State St. Albany, NY 12207, two copies thereof and that at the time of making such service, deponent paid Secretary of State a fee of forty dollars. That said service was made pursuant to Section 306 BCL  
Deponent further says that she knew the person so served as aforesaid to be the *DEMO* in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Deponent further states that she describes the person actually served as follows:

Sex: female Skin Color: white Hair Color: dark Age (Approx.) 54  
Height (Approx.) 5' 1" Weight (Approx.) 110 Other identifying features: Glasses

Sworn to before me this  
14th day of January 2008

  
Richard Grice Notary Public State of New York  
Saratoga County, No. 01GR4835860  
Commission Expires: May. 31, 2011

  
Sara Grice

United States District Court Southern District of New York

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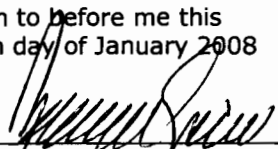
**On:** Donuts of Beacan, Inc.

Defendant in this action, by delivering to and leaving with *Carol Vogt DEMO* in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State at 41 State St. Albany, NY 12207, two copies thereof and that at the time of making such service, deponent paid Secretary of State a fee of forty dollars. That said service was made pursuant to Section 306 BCL  
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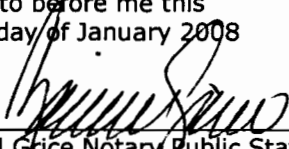
**On:** Donuts of East Fishkill, L.L.C.

Defendant in this action, by delivering to and leaving with *Carol Vogt DEMO* In the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State at 41 State St. Albany, NY 12207, two copies thereof and that at the time of making such service, deponent paid Secretary of State a fee of forty dollars. That said service was made pursuant to Section 303 LLC  
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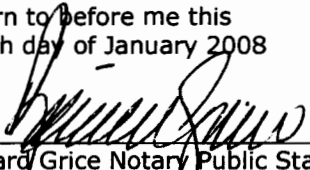
**On:** Donuts of Route 9, LLC

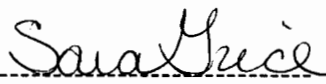
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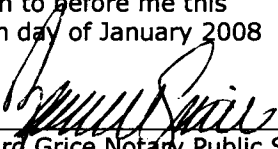
**On:** Donuts of Fishkill, LLC

Defendant in this action, by delivering to and leaving with *Carol Vogt DEMO* In the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State at 41 State St. Albany, NY 12207, two copies thereof and that at the time of making such service, deponent paid Secretary of State a fee of forty dollars. That said service was made pursuant to Section 303 LLC  
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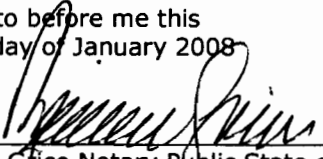
**On:** Donuts of 52, LLC

Defendant in this action, by delivering to and leaving with *Carol Vogt DEMO* In the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State at 41 State St. Albany, NY 12207, two copies thereof and that at the time of making such service, deponent paid Secretary of State a fee of forty dollars. That said service was made pursuant to Section 303 LLC Deponent further says that she knew the person so served as aforesaid to be the *DEMO* in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

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Commission Expires: May. 31, 2011

  
Sara Grice



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
DUNKIN' DONUTS FRANCHISED :  
RESTAURANTS LLC,, :  
DUNKIN' DONUTS FRANCHISING LLC, :  
DD IP HOLDER LLC, :  
:

Plaintiffs, :

v. :

C.A. No. 08-CV-00209 (CLB)

HUDSON VALLEY DONUTS, INC., :  
DONUTS OF BEACON, INC., :  
DONUTS OF EAST FISHKILL, LLC, :  
DONUTS OF ROUTE 9, LLC, :  
DONUTS OF FISHKILL, LLC, :  
DONUTS OF 52, LLC, :  
JOSEPH DEANGELIS and :  
NICHOLAS PALOMBA, :

Defendants. :  
-----X

**AFFIDAVIT OF SERVICE**

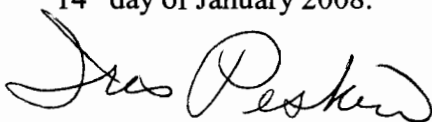
I hereby certify under penalty of perjury that on January 12, 2008 at 3:00 P.M. at 680 Route 9, Fishkill, New York I served the summons and complaint, together with the Rules of Judge Charles I. Brieant, USDC/SDNY Instructions for Filing an electronic Case, USDC/SDNY Procedures for Electronic Case Filing and USDC/SDNY Guidelines for Electronic Case Filing, in the above-entitled action upon **Defendant JOSEPH DEANGELIS**, by delivering a true copy of each to **FRANK TRABOLDT**, a person of suitable age and discretion. Said premises is Defendant's actual place of business.

On January 14, 2008 I enclosed a copy of same in a postpaid envelope properly addressed to Defendant at Defendant's last known residence at 35 Noble Hill Drive, Poughquag, New York 12570 and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

The person served was a male, white, 6'2", brown hair, 40 years old, 230 pounds.

  
RALPH ADDONIZIO

Sworn to before me this  
14<sup>th</sup> day of January 2008.



IRIS PESKIN  
Notary Public, State of New York  
No. 01PE6151942  
Qualified in Nassau County  
Commission Expires August 28, 2010